

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

EOD
03/18/2022

IN RE: § CASE NO. 21-90242 jps

BRADLEY COY SMITH
12526 N. FM 95
NACOGDOCHES, TX 75961
xxx-xx-9750

§ CHAPTER 13

DEBTOR §

**ORDER GRANTING MOTION OF COMMERCIAL
BANK OF TEXAS TO CONDUCT RULE 2004
EXAMINATION OF BARRY HUGHES, CUSTODIAN OF
RECORDS OF NACOGDOCHES LIVESTOCK EXCHANGE, INC**

On February 25, 2022, a Motion for to Conduct Rule 2004 Examination of Barry Hughes, the Custodian of Records of Nacogdoches Livestock Exchange, Inc. (the “Motion”) was filed by Commercial Bank of Texas, N.A. (the “Movant”) in the above-referenced case. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate fourteen (14)-day negative notice language, pursuant to the Local Rule of Bankruptcy Procedure 2004(a), which directed any party opposed to the granting of the relief sought by the Motion to file a written response within fourteen (14) days or the Motion would be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the Motion has been timely filed by any party. Due to the failure of any party to file a timely written response, the allegations contained in the Motion stand unopposed and, therefore, the Court finds that good cause exists for the entry of the following order.

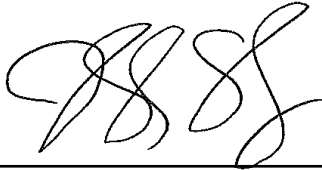
IT IS THEREFORE ORDERED that the Motion is hereby **GRANTED** and **BARRY HUGHES**, custodian of records of Nacogdoches Livestock Exchange, Inc., is hereby **ORDERED** to appear for examination at the offices of Nacogdoches Livestock Exchange, Inc., 3813 NW Stallings Drive, Nacogdoches, Texas 75964, at **1:00 p.m. on March 28, 2022**. The scope of the examination will relate to the disposition and location of cattle owned by Debtor and/or held as collateral by CBT, or to any matter, which may affect the administration of the Debtor’s estate, or to the Debtor’s right to a discharge.

IT IS FURTHER ORDERED that, **BARRY HUGHES**, custodian of records of Nacogdoches Livestock Exchange, Inc., is hereby **ORDERED** to produce the following things at his examination at **1:00 p.m. on March 28, 2022**:

Any and all documents and/or electronically stored information, including but not limited to, invoices, receipts, checks, sale tickets, correspondence, notes and reports reflecting the sale of cattle by the Debtor, BRADLEY C. SMITH, through Nacogdoches Livestock Exchange, Inc. from October 28, 2020 to

present. The items produced should include, any document and all electronic data reflecting a description of the cattle sold, the date of the sale, the identity of the buyer, the price received and the net payment to BRADLEY C. SMITH.

Signed on 03/17/2022

A handwritten signature in black ink, appearing to read 'JPS', is positioned above a horizontal line.

THE HONORABLE JOSHUA P. SEARCY
UNITED STATES BANKRUPTCY JUDGE